

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

MAR 19 2008

MOLLY DWYER, ACTING CLERK
U.S. COURT OF APPEALS

JULIO CESAR BARRIOS DIAZ;
MONICA BARRIOS,

Petitioners,

v.

MICHAEL B. MUKASEY, Attorney
General,

Respondent.

No. 06-74108

Agency Nos. A95-195-617
A95-294-986

MEMORANDUM^{*}

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted February 26, 2008^{**}

Before: BEEZER, FERNANDEZ, and McKEOWN, Circuit Judges

Julio Cesar Barrios Diaz and Monica Barrios, natives and citizens of Mexico, petition pro se for review of the Board of Immigration Appeals' order construing their motion for reconsideration as a motion to reopen and denying it as

^{*} This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

exceeding the numerical limitations set forth in 8 U.S.C. § 1229a(c)(7) and 8 C.F.R. § 1003.2(c)(2). The petitioners had presented previous motions to reconsider and to reopen, and they do not argue that the numerical limitations should be waived. *Compare Iturribarria v. INS*, 321 F.3d 889, 897 (9th Cir. 2003) (discussing equitable tolling of deadlines and numerical limits). We therefore deny the petition for review.

PETITION FOR REVIEW DENIED.